

PAUL J. FISHMAN
United States Attorney
BY: MAUREEN NAKLY
Assistant United States Attorney
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**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

| | | |
|---------------------------------|---|----------------------------------|
| UNITED STATES OF AMERICA | : | Honorable Jose L. Linares |
| <i>Plaintiff,</i> | : | Criminal No. 09-762 |
| v. | : | |
| LAVERN WEBB-WASHINGTON | : | FINAL ORDER OF FORFEITURE |
| <i>Defendant.</i> | : | |

WHEREAS, on October 8, 2009, the United States filed an Information, Criminal No. 09-762 (JLL), against LaVern Webb-Washington, charging her with a violation of Title 18, United States Code, Section 1951; and

WHEREAS, on October 8, 2009, the Defendant LaVern Webb-Washington pled guilty to the one-count Information; and

WHEREAS, On November 24, 2009, a Consent Judgment and Preliminary Order of Forfeiture between the United States and the Defendant LaVern Webb-Washington was entered into whereby, pursuant to the plea agreement, Defendant LaVern Webb-Washington agreed to the forfeiture of \$15,000.00 in United States currency for violations of Title 18, United States Code, Section 1951; and

WHEREAS, at the time of entry of the Consent Judgment and Preliminary Order of Forfeiture the United States had not yet identified specific assets that were derived from the offenses of which Defendant has been convicted; and

WHEREAS, on or about December 15, 2009, pursuant to the Consent Judgment and Preliminary Order of Forfeiture the United States received a certified check in the amount of \$10,000 as partial satisfaction of the forfeiture agreement; and

WHEREAS, the amount of \$10,000 paid by the Defendant shall be credited towards the \$15,000 money judgment, listed in the Consent Judgment and Preliminary Order of Forfeiture previously entered; and

WHEREAS, the United States has not, as of this date, identified any specific assets of Defendant LaVern Webb-Washington that could be forfeited as a substituted property to satisfy the remaining balance of \$5,000 consisting of a personal money judgment in accordance with 21 U.S.C. §853(p); and

WHEREAS, accordingly, the United States seeks the entry of a Final Order of Forfeiture consisting of a personal money judgment against Defendant LaVern Webb-Washington now in the amount of \$5,000 in United States currency with the right to amend the final order to include a substitute asset to satisfy the money judgment; and

WHEREAS, the entry of a Final Order of Forfeiture in the form of a personal money judgment is specifically authorized by Rule 32.2(b)(1) and (c)(1) of the Federal Rules of Criminal Procedure; and

WHEREAS, from December 3, 2009 to January 1, 2010, as required by 21 U.S.C. § 853(n)(1) and the manner set forth in Rule G(4)(a)(iv)(c) of the Supplemental Rules for

Admiralty or Maritime Claims and Asset Forfeiture, the United States posted notice of publication on www.forfeiture.gov, an official internet government forfeiture site, describing the asset with reasonable particularity and informing third parties claiming an interest in the asset of their right to petition the Court within sixty (60) days from the first day of publication for a hearing to adjudicate the validity of their alleged legal interest in the asset, the need to file an answer not later than twenty (20) days after filing of such Claim, and the name of the government attorney to be served with the Claim and Answer. (Declaration of Maureen Nakly, hereinafter "Nakly Decl.," Exhibit A); and

WHEREAS no claims have been filed on the property by any third parties;


THEREFORE it is hereby **ORDERED, ADJUDGED, AND DECREED:**

1. That a Final Order of Forfeiture is entered and that the herein described asset, namely \$10,000.00 in United States currency is hereby forfeited to the United States of America for disposition in accordance with the law, and no right, title, or interest in the assets shall exist in any other party; and
2. That a Final Order of Forfeiture consisting of a Money Judgment in the amount of \$5,000 in United States currency against Defendant LaVern Webb-Washington is hereby entered; and
3. That the United States District Court shall retain jurisdiction in the case for the purpose of enforcing this Order; and
4. That the United States may, at any time, move pursuant to Rule 32.2(e) to amend this Order of Forfeiture to include substitute property having a value up to \$5,000 in United States currency to satisfy the money judgment in whole or in part; and

5. That any and all forfeited funds, including but not limited to currency, currency equivalents and certificates of deposits, as well as any income derived as a result of the United States Marshal Service's management of any property forfeited herein, and the proceeds from the sale of any forfeited property, after the payment of costs and expenses incurred in connection with the sale and disposition of the forfeited property shall be deposited forthwith by the United States Marshal Service into the Department of Justice Asset Forfeiture Fund, in accordance with the law.

The Clerk is hereby directed to send copies to all counsel of record.

ORDERED this 25th day of March, 2010



Honorable Jose L. Linares
United States District Judge

EXHIBIT A

PAUL J. FISHMAN
United States Attorney
BY: MAUREEN NAKLY
Assistant United States Attorney
970 Broad Street, Suite 700
Newark, New Jersey 07102
(973) 645-2700

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

| | | |
|---------------------------------|---|------------------------------------|
| UNITED STATES OF AMERICA | : | Honorable Jose L. Linares |
| <i>Plaintiff,</i> | : | Criminal No. 09-762 |
| v. | : | DECLARATION IN SUPPORT OF A |
| LAVERN WEBB-WASHINGTON | : | FINAL ORDER OF FORFEITURE |
| <i>Defendant.</i> | : | |

MAUREEN NAKLY, who being sworn, deposes and says:

1. I am the Assistant United States Attorney and represent the United States of America, in this action. I make the following statements based on a review of the files maintained by this office.
2. On October 8, 2009, the United States filed an Information, Criminal No. 09-762 (JLL), against LaVern Webb-Washington, charging her with a violation of Title 18, United States Code, Section 1951.
3. On October 8, 2009, the Defendant LaVern Webb-Washington pled guilty to the one-count Information.
4. On November 24, 2009, a Consent Judgment and Preliminary Order of Forfeiture between the United States and the Defendant LaVern Webb-Washington was entered into whereby pursuant to the plea agreement, LaVern Webb-Washington, agreed to the forfeiture of

\$15,000.00 in United States currency for violations of Title 18, United States Code, Section 1951.

5. At the time of entry of the Consent Judgment and Preliminary Order of Forfeiture the United States had not yet identified specific assets that were derived from the offenses of which the Defendant has been convicted.

6. On or about December 15, 2009, pursuant to the Consent Judgment and Preliminary Order of Forfeiture the United States received a certified check in the amount of \$10,000 as partial satisfaction of the forfeiture agreement.

7. The amount of \$10,000 paid by the Defendant shall be credited towards the \$15,000 money judgment, listed in the Consent Judgment and Preliminary Order of Forfeiture previously entered.

8. The United States has not, as of this date, identified any specific assets of the Defendant LaVern Webb-Washington that could be forfeited as a substituted property to satisfy the remaining balance of \$5,000 consisting of a personal money judgment in accordance with 21 U.S.C. § 853(p).

9. Accordingly, the United States seeks the entry of a Final Order of Forfeiture consisting of a personal money judgment against Defendant LaVern Webb-Washington now in the amount of \$5,000 in United States currency with the right to amend the final order to include a substitute asset to satisfy the money judgment.

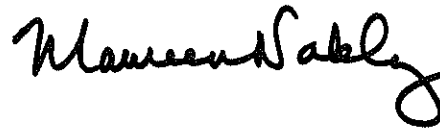
10. The entry of a Final Order of Forfeiture in the form of a personal money judgment is specifically authorized by Rule 32.2(b)(1) and (c)(1) of the Federal Rules of Criminal Procedure.

11. From December 3, 2009 to January 1, 2010, as required by 21 U.S.C. § 853(n)(1) and the manner set forth in Rule G(4)(a)(iv)(c) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture, the United States posted notice of publication on www.forfeiture.gov, an official internet government forfeiture site, describing the asset with reasonable particularity and informing third parties claiming an interest in the asset of their right to petition the Court within sixty (60) days from the first day of publication for a hearing to adjudicate the validity of their alleged legal interest in the asset, the need to file an answer not later than twenty (20) days after filing of such Claim, and the name of the government attorney to be served with the Claim and Answer. (See Exhibit A)

12. No claims have been filed on the property by any third parties.

I declare under penalty of perjury that the forgoing is true and correct.

PAUL J. FISHMAN
United States Attorney



BY

MAUREEN NAKLY
Assistant United States Attorney

EXHIBIT A

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CIVIL DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

V.

Lavern Webb-Washington

Defendant.

09-762

DECLARATION OF PUBLICATION

Under 21 U.S.C. § 853(n)(1), and the Attorney General's authority to determine the manner of publication of an Order of Forfeiture in a criminal case, notice of the forfeiture was posted on an official government internet site (www.forfeiture.gov) for at least 30 consecutive days, beginning on December 3, 2009 and ending on January 1, 2010. (See, Attachment 1.)

I declare under penalty of perjury that the foregoing is true and correct. Executed on March 15, 2010
at Newark, NJ.

John Aitken

Paralegal Specialist

Attachment 1

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY, CIVIL DIVISION
COURT CASE NUMBER: 09-762; NOTICE OF FORFEITURE

Notice is hereby given that on November 24, 2009, in the case of U.S. v. Lavern Webb-Washington, Court Case Number 09-762, the United States District Court for the District of New Jersey entered an Order condemning and forfeiting the following property to the United States of America:

\$15,000 Judgment (10-FBI-000661)

The United States hereby gives notice of its intent to dispose of the forfeited property in such manner as the United States Attorney General may direct. Any person, other than the defendant(s) in this case, claiming interest in the forfeited property must file a Petition within 60 days of the first date of publication (December 03, 2009) of this Notice on this official government internet web site, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure and 21 U.S.C. § 853(n)(1). The petition must be filed with the Clerk of the Court, Martin Luther King Federal Building & U.S. Courthouse, 50 Walnut Street, Room 4105, Newark, NJ 07101-0419, and a copy served upon Assistant United States Attorney Maureen Nakly, 970 Broad Street, Suite 700, Newark, NJ 07102. The petition shall be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner's right, title or interest in the forfeited property, the time and circumstances of the petitioner's acquisition of the right, title and interest in the forfeited property and any additional facts supporting the petitioner's claim and the relief sought, pursuant to 21 U.S.C. § 853(n).

Following the Court's disposition of all petitions filed, or if no such petitions are filed, following the expiration of the period specified above for the filing of such petitions, the United States shall have clear title to the property and may warrant good title to any subsequent purchaser or transferee.

Advertisement Certification Report

The Notice of Publication was available on the www.forfeiture.gov web site for at least 18 hours per day between December 3, 2009 and January 1, 2010. Below is a summary report that identifies the uptime for each day within the 30-day period and reports the results of the web monitoring system's daily check that verifies that the advertisement was available each day.

U.S. v. Lavern Webb-Washington

Court Case No: 09-762
For Asset ID(s): See Attached Advertisement Copy

| Consecutive Calendar Day Count | Date Advertisement Appeared on the Web Site | Total Hours Web Site was Available during Calendar Day | Verification that Advertisement existed on Web Site |
|---------------------------------------|--|---|--|
| 1 | 12/03/2009 | 23.5 | Verified |
| 2 | 12/04/2009 | 23.5 | Verified |
| 3 | 12/05/2009 | 23.5 | Verified |
| 4 | 12/06/2009 | 23.5 | Verified |
| 5 | 12/07/2009 | 23.5 | Verified |
| 6 | 12/08/2009 | 23.5 | Verified |
| 7 | 12/09/2009 | 23.5 | Verified |
| 8 | 12/10/2009 | 23.5 | Verified |
| 9 | 12/11/2009 | 23.5 | Verified |
| 10 | 12/12/2009 | 23.5 | Verified |
| 11 | 12/13/2009 | 23.5 | Verified |
| 12 | 12/14/2009 | 23.5 | Verified |
| 13 | 12/15/2009 | 23.5 | Verified |
| 14 | 12/16/2009 | 23.6 | Verified |
| 15 | 12/17/2009 | 23.5 | Verified |
| 16 | 12/18/2009 | 23.5 | Verified |
| 17 | 12/19/2009 | 22.4 | Verified |
| 18 | 12/20/2009 | 23.6 | Verified |
| 19 | 12/21/2009 | 23.6 | Verified |
| 20 | 12/22/2009 | 23.6 | Verified |
| 21 | 12/23/2009 | 23.6 | Verified |
| 22 | 12/24/2009 | 23.6 | Verified |
| 23 | 12/25/2009 | 23.5 | Verified |
| 24 | 12/26/2009 | 22.4 | Verified |
| 25 | 12/27/2009 | 22.4 | Verified |
| 26 | 12/28/2009 | 23.6 | Verified |
| 27 | 12/29/2009 | 23.6 | Verified |
| 28 | 12/30/2009 | 23.6 | Verified |
| 29 | 12/31/2009 | 23.6 | Verified |
| 30 | 01/01/2010 | 23.6 | Verified |

Additional log information is available and kept in the archives for 15 years after the asset has been disposed.